

By:

Carson

S.B. No. 211

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of chiropractors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 201, Occupations Code, is amended by adding Section 201.206 to read as follows:

Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES. (a)
The board's investigation files are confidential, privileged, and
not subject to discovery, subpoena, or any other means of legal
compulsion for release other than to the board or an employee or
agent of the board.

(b) On request, the board may provide, at the completion of
an investigation, information contained in the investigation file
to the license holder under investigation. The board may share
information in investigation files with another state or federal
regulatory agency or with a local, state, or federal law
enforcement agency. The board is not required to disclose
information that is an attorney-client communication, an attorney
work product, or other information protected by a privilege
recognized by the Texas Rules of Civil Procedure or the Texas Rules
of Evidence.

(c) Notwithstanding Subsection (a), the board may:

(1) disclose a complaint to the affected license
holder; and

(2) provide to a complainant the license holder's

WITNESS LIST

SB 211

SENATE COMMITTEE REPORT

Health & Human Services

February 25, 2003 - 11:00AM

Registering, but not testifying:

FOR: Turrieta, Gilbert Consultant (Texas Chiropractic Association), San Antonio, TX

1-1 By: Carona S.B. No. 211
1-2 (In the Senate - Filed January 15, 2003; February 3, 2003,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 3, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 March 3, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 211 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the licensing and regulation of chiropractors.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter E, Chapter 201, Occupations Code, is
1-13 amended by adding Section 201.206 to read as follows:

1-14 Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES.

1-15 (a) The board's investigation files are confidential, privileged,
1-16 and not subject to discovery, subpoena, or any other means of legal
1-17 compulsion for release other than to the board or an employee or
1-18 agent of the board.

1-19 (b) On request, the board shall provide, at the completion
1-20 of an investigation, information contained in the investigation
1-21 file to the license holder under investigation. The board shall
1-22 share information in investigation files, on request, with another
1-23 state or federal regulatory agency or with a local, state, or
1-24 federal law enforcement agency regardless of whether the
1-25 investigation has been completed. The board is not required to
1-26 disclose under this subsection information that is an
1-27 attorney-client communication, an attorney work product, or other
1-28 information protected by a privilege recognized by the Texas Rules
1-29 of Civil Procedure or the Texas Rules of Evidence.

1-30 (c) Notwithstanding Subsection (a), the board may:

1-31 (1) disclose a complaint to the affected license
1-32 holder; and

1-33 (2) provide to a complainant the license holder's
1-34 response to the complaint, if providing the response is considered
1-35 by the board to be necessary to investigate the complaint.

1-36 (d) This section does not prohibit the board or another
1-37 party in a disciplinary action from offering into evidence in a
1-38 contested case under Chapter 2001, Government Code, a record,
1-39 document, or other information obtained or created during an
1-40 investigation.

1-41 SECTION 2. Subsection (a), Section 201.355, Occupations
1-42 Code, is amended to read as follows:

1-43 (a) The board may renew without reexamination an expired
1-44 license of a person who was licensed in this state, moved to another
1-45 state or foreign country, and is currently licensed in good
1-46 standing and has been in practice in the other state or foreign
1-47 country for the two years preceding application.

1-48 SECTION 3. Subsection (b), Section 201.303, Occupations
1-49 Code, is repealed.

1-50 SECTION 4. (a) This Act takes effect September 1, 2003.

1-51 (b) Section 201.206, Occupations Code, as added by this Act,
1-52 applies to a complaint or investigation pending on the effective
1-53 date of this Act or filed on or after that date.

1-54 (c) The change in law made by this Act by the amendment of
1-55 Subsection (a), Section 201.355, Occupations Code, applies only to
1-56 an application to renew a license filed on or after the effective
1-57 date of this Act. An application to renew a license filed before
1-58 the effective date of this Act is governed by the law in effect on
1-59 the date the application was filed, and the former law is continued
1-60 in effect for that purpose.

1-61 * * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

SB ~~SCR~~ ~~SJR~~ ~~SR~~ ~~HB~~ ~~HCR~~ ~~HJR~~ 211
By Carona
(Author/Senate Sponsor)
March 3, 2003
(date)

Sir:

We, your Committee on HEALTH AND HUMAN SERVICES, to which was referred the attached measure,
have on February 25, 2003, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
(☒ the caption remained the same as original measure
() the caption changed with adoption of the substitute

() do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes () no

A revised fiscal note was requested. ☒ yes () no

An actuarial analysis was requested. () yes ☒ no

Considered by subcommittee. () yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Nelson, Chair	<input checked="" type="checkbox"/>			
Senator Janek, Vice-Chair			<input checked="" type="checkbox"/>	
Senator Carona	<input checked="" type="checkbox"/>			
Senator Deuell	<input checked="" type="checkbox"/>			
Senator Gallegos	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Ratliff	<input checked="" type="checkbox"/>			
Senator West	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	8	0	1	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Cheri Huddleston
COMMITTEE CLERK

Janet Nelson
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

WITNESS LIST

SB 211

SENATE COMMITTEE REPORT

Health & Human Services

February 25, 2003 - 11:00AM

Registering, but not testifying:

FOR: Turrieta, Gilbert Consultant (Texas Chiropractic Association), San Antonio, TX

BILL ANALYSIS

Senate Research Center
78R6001 JMM-F

C.S.S.B. 211
By: Carona
Health & Human Services
2-26-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Chapter 201, Occupations Code, does not provide specific guidelines regarding the public's access to files for open investigations of licensed chiropractors. A license holder is therefore able, either solely or through the license holder's attorney, to request and receive for review the information obtained about the license holder's case while an investigation of the license holder is underway. In addition, Section 201.355(a), Occupations Code, allows the Texas Board of Chiropractic Examiners (TBCE) to renew without reexamination the license of a license holder whose license in this state has expired, but who has moved to another state, is currently licensed in the other state, and has been in practice in that other state for the two years prior to the application; current Texas law does not extend similar privileges to a license holder who has moved to a foreign country.

C.S.S.B. 211 would limit public access to certain TBCE records even for certain legal actions during the course of a license holder investigation. C.S.S.B. 211 would not prevent the public from obtaining such records once an investigation has been completed. C.S.S.B. 211 further extends the ability to renew an expired license without reexamination to a license holder whose license has expired, but who has moved to another country, is currently licensed in the other country, has been in practice in that other country for the two years prior to the application and is in good standing there. C.S.S.B. 211 will repeal Section 201.303(b), Occupations Code, which requires a person to complete certain courses with a grade of 75 percent or better in order to apply for a license to practice chiropractic.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 201E, Occupations Code, by adding Section 201.206, as follows:

Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES. (a) Specifies the confidentiality and privileged nature of the Texas Board of Chiropractic Examiners' (TBCE) investigation files. Exempts such files from legal compulsion for release other than to certain individuals.

(b) Requires TBCE, upon completion of an investigation, to provide information in the investigation file to the license holder under investigation. Requires TBCE, on request, to share information in investigation files with certain other regulatory and law enforcement agencies regardless of whether the investigation has been completed. Provides that TBCE is not required, under this subsection, to disclose information protected by a privilege under the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) Authorizes TBCE, notwithstanding Subsection (a), to disclose a complaint to the affected license holder and, if deemed by the board to be necessary to the investigation, to provide the license holder's response to the complaint.

(d) Provides that TBCE or other party in a disciplinary action is not prohibited from providing certain documents from an investigation for evidence in a contested case under Chapter 2001, Government Code.

SECTION 2. Amends Section 201.355(a), Occupations Code, to authorize TBCE to renew without reexamination the license of a person whose license in this state has expired, who has moved to a foreign country, who is licensed in the foreign country, and who has been practicing there for the two years prior to the application. Provides that license holders who have moved either to a foreign country or to another state also be in good standing in their present regions in order to have TBCE renew their licenses without reexamination.

SECTION 3. Repealer: Section 201.303 (b), Occupations Code (Educational Requirements - requiring completion of certain courses with a grade of 75 percent or better).

SECTION 4. Effective date: September 1, 2003

Makes application of Section 201.206 and Section 201.355 (a), Occupations Code, as added by this Act, prospective.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in SECTION 1 (Section 201.206(b), Occupations Code) by requiring, instead of authorizing, the Texas Board of Chiropractic Examiners (TBCE) to provide information to the license holder under investigation, at the completion of the investigation. Differs from the original in SECTION 1 (Section 201.206(b), Occupations Code) by requiring, instead of authorizing, TBCE to share information with certain other regulatory and law enforcement agencies regardless of whether the investigation has been completed. Differs from the original in SECTION 1 (Section 201.206(b), Occupations Code) by limiting to this subsection the TBCE's exemption from disclosing certain information.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 26, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 24, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that CSSB 211, by Carona,
(Bill No.) (Author/Sponsor)
was heard by the Committee on Health & Human Services on Feb. 25, 2003,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Cheri Huddleston
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ADOPTED

MAR 17 2003

Atty. Gen.
Secretary of the Senate

By: Carroll

S.B. No. 211

Substitute the following for S.B. No. 211:

By: M. G. Salley

C.S. S.B. No. 211

A BILL TO BE ENTITLED

AN ACT

*optometrists, and therapeutic
optometrists*

relating to the licensing and regulation of chiropractors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 201, Occupations Code, is amended by adding Section 201.206 to read as follows:

Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES. (a)

The board's investigation files are confidential, privileged, and not subject to discovery, subpoena, or any other means of legal compulsion for release other than to the board or an employee or agent of the board.

*P.A. #1
(1)*
(b) ~~On request, the board shall provide, at the completion of an investigation, information contained in the investigation file to the license holder under investigation.~~ The board shall share information in investigation files, on request, with another state or federal regulatory agency or with a local, state, or federal law enforcement agency regardless of whether the investigation has been completed. The board is not required to disclose under this subsection information that is an attorney-client communication, an attorney work product, or other information protected by a privilege recognized by the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

*Insert
FA #22
(2)
(3)*
(d) Notwithstanding Subsection (a), the board may:

(1) disclose a complaint to the affected license holder; and

1 (2) provide to a complainant the license holder's
2 response to the complaint, if providing the response is considered
3 by the board to be necessary to investigate the complaint.

F.A.# 1
(44) ^e
4 (8) This section does not prohibit the board or another party
5 in a disciplinary action from offering into evidence in a contested
6 case under Chapter 2001, Government Code, a record, document, or
7 other information obtained or created during an investigation.

Insert
H.A.# 30
F.A.# 8
(1)(2) 3 Subsection (a)
8 SECTION 7. Section 201.355^(a), Occupations Code, is amended
9 by amending Subsection (a) and adding Subsection (c)
to read as follows:

10 (a) The board may renew without reexamination an expired
11 license of a person who was licensed in this state, moved to another
12 state or foreign country, and is currently licensed in good
13 standing and has been in practice in the other state or foreign
14 country for the two years preceding application.

Insert
F.A.# 2
(3) 5 Subsection (b)
15 SECTION 8. Section 201.303^(b), Occupations Code, is
16 repealed.
Insert
H.A.# 2(1)
17 7
18 SECTION 4. (a) This Act takes effect September 1, 2003.

19 (b) Section 201.206, Occupations Code, as added by this Act,
20 applies to a complaint or investigation pending on the effective
21 date of this Act or filed on or after that date.

22 (c) The change in law made by this Act by the amendment of
23 Subsection (a),
24 Section 201.355^(a), Occupations Code, applies only to an
25 application to renew a license filed on or after the effective date
26 of this Act. An application to renew a license filed before the
27 effective date of this Act is governed by the law in effect on the
date the application was filed, and the former law is continued in
effect for that purpose.

ADOPTED

24 pages 7 maps
MAR 17 2003

Atty. Gen.
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Carmon

1 Amend S.B. No. 211 on third reading as follows:

2 ✓ (1) In SECTION 1 of the bill, in proposed Section
3 201.206(b), Occupations Code, strike the first sentence of that
4 subsection. p.1, l.11

5 (2) In SECTION 1 of the bill, in proposed Section 201.206,
6 Occupations Code, between Subsections (b) and (c) of that
7 subsection, insert the following: p.1, l.22

Insert
F.A. #1
(2)
at
p.1, l.22
10 (c) On the completion of the investigation and before a
11 hearing under Section 201.505, the board shall provide to the
12 license holder, subject to any other privilege or restriction set
13 forth by rule, statute, or legal precedent, access to all
14 information in the board's possession that the board intends to
15 offer into evidence in presenting its case in chief at the contested
16 case hearing on the complaint. The board is not required to
17 provide:

18 (1) a board investigative report or memorandum;
19 (2) the identity of a nontestifying complainant; or
20 (3) attorney-client communications, attorney work
21 product, or other materials covered by a privilege recognized by
22 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

23 ✓ (3) In SECTION 1 of the bill, in proposed Section
24 201.206(c), Occupations Code, strike "(c)" and substitute "(d)". p.1, l.22

25 ✓ (4) In SECTION 1 of the bill, in proposed Section
26 201.206(d), Occupations Code, strike "(d)" and substitute "(e)". p.2, l.4

ADOPTED

MAR 17 2003

Atty. Gen.
Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY: Carona

Amend S.B. No. 211 on third reading as follows:

✓(1) In the recital for SECTION 2 of the bill, strike
"Subsection (a),".

✓(2) In the recital for SECTION 2 of the bill, between
"amended" and "to", insert "by amending Subsection (a) and adding
Subsection (c)".

(3) Between SECTIONS 2 and 3 of the bill, after amended
Section 201.355(a), Occupations Code, insert:

(c) For purposes of this section, a person is currently
licensed if the person is licensed by another chiropractic
licensing board recognized by the board. The board shall adopt
requirements for recognizing another chiropractic licensing board
that:

(1) has licensing requirements substantially
equivalent to the requirements of this chapter; and

(2) maintains professional standards considered by
the board to be equivalent to the standards under this chapter.

Engrossed March 17, 2003
Mardi Allyand
Engrossing Clerk

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

By: Carona
(Laubenberg, Zedler)

S.B. No. 211

A BILL TO BE ENTITLED

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agent of the board.

(b) The board shall share information in investigation
files, on request, with another state or federal regulatory agency
or with a local, state, or federal law enforcement agency
regardless of whether the investigation has been completed. The
board is not required to disclose under this subsection information
that is an attorney-client communication, an attorney work product,
or other information protected by a privilege recognized by the
Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) On the completion of the investigation and before a
hearing under Section 201.505, the board shall provide to the
license holder, subject to any other privilege or restriction set
forth by rule, statute, or legal precedent, access to all
information in the board's possession that the board intends to
offer into evidence in presenting its case in chief at the contested

1 case hearing on the complaint. The board is not required to
2 provide:

3 (1) a board investigative report or memorandum;
4 (2) the identity of a nontestifying complainant; or
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6 product, or other materials covered by a privilege recognized by
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10 holder; and

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12 response to the complaint, if providing the response is considered
13 by the board to be necessary to investigate the complaint.

14 (e) This section does not prohibit the board or another
15 party in a disciplinary action from offering into evidence in a
16 contested case under Chapter 2001, Government Code, a record,
17 document, or other information obtained or created during an
18 investigation.

19 SECTION 2. Section 201.355, Occupations Code, is amended by
20 amending Subsection (a) and adding Subsection (c) to read as
21 follows:

22 (a) The board may renew without reexamination an expired
23 license of a person who was licensed in this state, moved to another
24 state or foreign country, and is currently licensed in good
25 standing and has been in practice in the other state or foreign
26 country for the two years preceding application.

27 (c) For purposes of this section, a person is currently

1 licensed if the person is licensed by another chiropractic
2 licensing board recognized by the board. The board shall adopt
3 requirements for recognizing another chiropractic licensing board
4 that:

5 (1) has licensing requirements substantially
6 equivalent to the requirements of this chapter; and

7 (2) maintains professional standards considered by
8 the board to be equivalent to the standards under this chapter.

9 SECTION 3. Subsection (b), Section 201.303, Occupations
10 Code, is repealed.

11 SECTION 4. (a) This Act takes effect September 1, 2003.

12 (b) Section 201.206, Occupations Code, as added by this Act,
13 applies to a complaint or investigation pending on the effective
14 date of this Act or filed on or after that date.

15 (c) The change in law made by this Act by the amendment of
16 Subsection (a), Section 201.355, Occupations Code, applies only to
17 an application to renew a license filed on or after the effective
18 date of this Act. An application to renew a license filed before
19 the effective date of this Act is governed by the law in effect on
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21 in effect for that purpose.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 26, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 24, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

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HOUSE COMMITTEE REPORT

1st Printing

By: Carona
(Laubenberg, Zedler)

S.B. No. 211

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(c) On the completion of the investigation and before a hearing under Section 201.505, the board shall provide to the license holder, subject to any other privilege or restriction set forth by rule, statute, or legal precedent, access to all information in the board's possession that the board intends to offer into evidence in presenting its case in chief at the contested

1 case hearing on the complaint. The board is not required to
2 provide:

3 (1) a board investigative report or memorandum;
4 (2) the identity of a nontestifying complainant; or
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14 (e) This section does not prohibit the board or another
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17 document, or other information obtained or created during an
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21 follows:

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23 license of a person who was licensed in this state, moved to another
24 state or foreign country, and is currently licensed in good
25 standing and has been in practice in the other state or foreign
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6 equivalent to the requirements of this chapter; and

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8 the board to be equivalent to the standards under this chapter.

9 SECTION 3. Subsection (b), Section 201.303, Occupations
10 Code, is repealed.

11 SECTION 4. (a) This Act takes effect September 1, 2003.

12 (b) Section 201.206, Occupations Code, as added by this Act,
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14 date of this Act or filed on or after that date.

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16 Subsection (a), Section 201.355, Occupations Code, applies only to
17 an application to renew a license filed on or after the effective
18 date of this Act. An application to renew a license filed before
19 the effective date of this Act is governed by the law in effect on
20 the date the application was filed, and the former law is continued
21 in effect for that purpose.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

5-14-2003
(date)

Sir:

We, your COMMITTEE ON PUBLIC HEALTH

to whom was referred SB 211 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ☐ no A fiscal note was requested.
- ☐ yes ☒ no A criminal justice policy impact statement was requested.
- ☐ yes ☒ no An equalized educational funding impact statement was requested.
- ☐ yes ☒ no An actuarial analysis was requested.
- ☐ yes ☒ no A water development policy impact statement was requested.
- ☐ yes ☒ no A tax equity note was requested.
- ☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Laubenberg

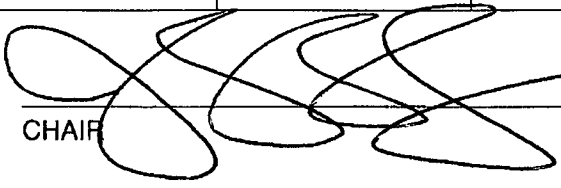
Joint Sponsors: Zedler , , ,

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Capelo, Chair				<input checked="" type="checkbox"/>
Laubenberg, Vice-chair	<input checked="" type="checkbox"/>			
Coleman				<input checked="" type="checkbox"/>
Dawson	<input checked="" type="checkbox"/>			
McReynolds				<input checked="" type="checkbox"/>
Naishtat				<input checked="" type="checkbox"/>
Taylor	<input checked="" type="checkbox"/>			
Truitt	<input checked="" type="checkbox"/>			
Zedler	<input checked="" type="checkbox"/>			

Total 5 aye
 0 nay
 0 present, not voting
 4 absent


CHAIR

BILL ANALYSIS

S.B. 211
By: Carona
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Chapter 201, Occupations Code, does not provide specific guidelines regarding the public's access to files for open investigations of licensed chiropractors. A license holder is therefore able, either solely or through the license holder's attorney, to request and receive for review the information obtained about the license holder's case while an investigation of the license holder is underway. In addition, Section 201.355(a), Occupations Code, allows the Texas Board of Chiropractic Examiners (TBCE) to renew without reexamination the license of a license holder whose license in this state has expired, but who has moved to another state, is currently licensed in the other state, and has been in practice in that other state for the two years prior to the application; current Texas law does not extend similar privileges to a license holder who has moved to a foreign country.

This bill would limit public access to certain TBCE records even for certain legal actions during the course of a license holder investigation. However the bill would not prevent the public from obtaining such records once an investigation has been completed. The bill further extends the ability to renew an expired license without reexamination to a license holder whose license has expired, but who has moved to another country, is currently licensed in the other country, has been in practice in that other country for the two years prior to the application and is in good standing there. The bill will repeal Section 201.303(b), Occupations Code, which requires a person to complete certain courses with a grade of 75 percent or better in order to apply for a license to practice chiropractic.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Chapter 201E, Occupations Code, by adding Section 201.206, as follows:
Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES. (a) Specifies the confidentiality and privileged nature of the Texas Board of Chiropractic Examiners' (TBCE) investigation files. Exempts such files from legal compulsion for release other than to certain individuals.

(b) Requires TBCE, upon completion of an investigation, to provide information in the investigation file to the license holder under investigation. Requires TBCE, on request, to share information in investigation files with certain other regulatory and law enforcement agencies regardless of whether the investigation has been completed. Provides that TBCE is not required, under this subsection, to disclose information protected by a privilege under the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) Authorizes TBCE, notwithstanding Subsection (a), to disclose a complaint to the affected license holder and, if deemed by the board to be necessary to the investigation, to provide the license holder's response to the complaint.

(d) Provides that TBCE or other party in a disciplinary action is not prohibited from providing certain documents from an investigation for evidence in a contested case under Chapter 2001, Government Code.

SECTION 2. Amends Section 201.355(a), Occupations Code, to authorize TBCE to renew without

reexamination the license of a person whose license in this state has expired, who has moved to a foreign country, who is licensed in the foreign country, and who has been practicing there for the two years prior to the application. Provides that license holders who have moved either to a foreign country or to another state also be in good standing in their present regions in order to have TBCE renew their licenses without reexamination.

SECTION 3. Repealer: Section 201.303 (b), Occupations Code (Educational Requirements - requiring completion of certain courses with a grade of 75 percent or better).

SECTION 4. Effective date: September 1, 2003. Makes application of Section 201.206 and Section 201.355 (a), Occupations Code, as added by this Act, prospective.

EFFECTIVE DATE

September 1, 2003.

SUMMARY OF COMMITTEE ACTION

SB 211

May 7, 2003 8:00AM

Considered in public hearing
Testimony taken in committee (See attached witness list.)
Left pending in committee

May 14, 2003 4:30PM

Considered in formal meeting
Reported favorably without amendment(s)

WITNESS LIST

SB 211
HOUSE COMMITTEE REPORT
Public Health Committee

May 7, 2003 - 8:00AM

On: Smith, Sandra (Texas Board of Chiropractic Examiners)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 25, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 26, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **Committee**
Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 24, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LIST OF HOUSE AMENDMENTS CONSIDERED TODAY

SB211-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Geren	Amendment	Withdrawn
2	Laubenberg	Amendment	Adopted ✓
3	Geren	Amendment	Adopted ✓

ADOPTED

784406

MAY 24 2003

Robert Hane
Chief Clerk
House of Representatives



FLOOR AMENDMENT NO. 2

BY: Laubenberg

Amend S.B. No. 211 as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill appropriately:

SECTION ⁴. Subchapter E, Chapter 351, Occupations Code, is amended by adding Section 351.2045 to read as follows:

Sec. 351.2045. CONFIDENTIALITY OF INVESTIGATION FILES. (a)

The board's investigation files are confidential, privileged, and not subject to discovery, subpoena, or any other means of legal compulsion for release other than to the board or an employee or agent of the board.

(b) The board shall share information in investigation files, on request, with another state or federal regulatory agency or with a local, state, or federal law enforcement agency regardless of whether the investigation has been completed. The board is not required to disclose under this subsection information that is an attorney-client communication, an attorney work product, or other information protected by a privilege recognized by the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) On the completion of the investigation and before a hearing under Section 351.503, the board shall provide to the license holder, subject to any other privilege or restriction set forth by rule, statute, or legal precedent, access to all information in the board's possession that the board intends to offer into evidence in presenting its case in chief at the contested case hearing on the complaint. The board is not required to provide:

(1) a board investigative report or memorandum;

(2) the identity of a nontestifying complainant; or

(3) attorney-client communications, attorney work

5/6
1 product, or other materials covered by a privilege recognized by
2 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

3 (d) Notwithstanding Subsection (a), the board may:

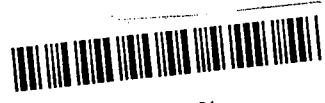
4 (1) disclose a complaint to the affected license
5 holder; and

6 (2) provide to a complainant the license holder's
7 response to the complaint, if providing the response is considered
8 by the board to be necessary to investigate the complaint.

9 (e) This section does not prohibit the board or another
10 party in a disciplinary action from offering into evidence in a
11 contested case under Chapter 2001, Government Code, a record,
12 document, or other information obtained or created during an
13 investigation.

14 (2) In SECTION 4 of the bill, following Subsection (c) of
15 that section (committee printing page 3, after line 21), insert the
16 following:

H.A. #2
(2) 17 (d) Section 351.2045, Occupations Code, as added by this
at
p. 2, 18 Act, applies to a complaint or investigation pending on the
and
dsee 19 effective date of this Act or filed on or after that date.



ADOPTED

MAY 24 2003

Robert Hancey
Chief Clerk
House of Representatives

FLOOR AMENDMENT NO. 3

BY: *Gene*

Amend S.B. No. 211 by adding the following SECTIONS, appropriately numbered, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION 2. Section 201.312, Occupations Code, is amended to read as follows:

Sec. 201.312. REGISTRATION [ACCREDITATION] OF FACILITIES.

(a) The board by rule shall adopt requirements for registering [~~licensing and regulating~~] chiropractic facilities as necessary to protect the public health, safety, and welfare.

(b) The rules adopted under this section must:

(1) specify the registration [~~licensing~~] requirements for a chiropractic facility;

(2) prescribe the standards for the chiropractic [~~structure of the~~] facility registration [~~licensing~~] program; [and]

(3) provide for the issuance of a separate certificate of registration [~~one facility license~~] to an owner of a chiropractic facility for each chiropractic facility owned by the owner; and

(4) provide for the board to send notice to an owner of a chiropractic facility and to each chiropractor practicing in the facility of the impending expiration of the facility's certificate of registration before the expiration of the certificate.

(c) The standards adopted under Subsection (b)(2) must be

1 consistent with industry standards for the practice of
2 chiropractic.

3 (d) To register a chiropractic facility, the owner of the
4 facility must:

5 (1) file with the board a written application for
6 registration; and

7 (2) pay, with the application, a registration fee in an
8 amount set by the board not to exceed \$75.

9 (e) The board may issue a certificate of registration only to
10 a chiropractic facility that complies with the requirements of this
11 section.

12 (f) A certificate of registration under this section must be
13 renewed annually. To renew the certificate, the certificate holder
14 shall apply to the board and pay an annual fee equal to the amount
15 of the registration fee under Subsection (d)(2).

16 (g) A person licensed to practice chiropractic in this state
17 is subject to disciplinary action under this chapter if the person
18 practices chiropractic in a chiropractic facility that the person
19 knows is not registered under this section.

20 (h) An owner of a chiropractic facility who violates this
21 section or a rule adopted under this section is subject to
22 disciplinary action by the board in the same manner as a license
23 holder who violates this chapter or a rule adopted under this
24 chapter.

25 SECTION 6. Not later than January 1, 2004, the Texas Board
26

eset
A.A. #3
at p.2, l.17

3/4

1 of Chiropractic Examiners shall adopt rules under Section 201.503,
2 Occupations Code, specifying the maximum amount of sanctions that
3 may be assessed against a chiropractor for violating Subsection
4 (g), Section 201.312, Occupations Code, as added by this Act.

S.B. No. 211

AN ACT

relating to the licensing and regulation of chiropractors,
optometrists, and therapeutic optometrists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 201, Occupations Code, is
amended by adding Section 201.206 to read as follows:

Sec. 201.206. CONFIDENTIALITY OF INVESTIGATION FILES.

(a) The board's investigation files are confidential, privileged,
and not subject to discovery, subpoena, or any other means of legal
compulsion for release other than to the board or an employee or
agent of the board.

(b) The board shall share information in investigation
files, on request, with another state or federal regulatory agency
or with a local, state, or federal law enforcement agency
regardless of whether the investigation has been completed. The
board is not required to disclose under this subsection information
that is an attorney-client communication, an attorney work product,
or other information protected by a privilege recognized by the
Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) On the completion of the investigation and before a
hearing under Section 201.505, the board shall provide to the
license holder, subject to any other privilege or restriction set
forth by rule, statute, or legal precedent, access to all
information in the board's possession that the board intends to

1 offer into evidence in presenting its case in chief at the contested
2 case hearing on the complaint. The board is not required to
3 provide:

4 (1) a board investigative report or memorandum;
5 (2) the identity of a nontestifying complainant; or
6 (3) attorney-client communications, attorney work
7 product, or other materials covered by a privilege recognized by
8 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

9 (d) Notwithstanding Subsection (a), the board may:

10 (1) disclose a complaint to the affected license
11 holder; and

12 (2) provide to a complainant the license holder's
13 response to the complaint, if providing the response is considered
14 by the board to be necessary to investigate the complaint.

15 (e) This section does not prohibit the board or another
16 party in a disciplinary action from offering into evidence in a
17 contested case under Chapter 2001, Government Code, a record,
18 document, or other information obtained or created during an
19 investigation.

20 SECTION 2. Section 201.312, Occupations Code, is amended to
21 read as follows:

22 Sec. 201.312. REGISTRATION [~~ACCREDITATION~~] OF FACILITIES.

23 (a) The board by rule shall adopt requirements for registering
24 [~~licensing and regulating~~] chiropractic facilities as necessary to
25 protect the public health, safety, and welfare.

26 (b) The rules adopted under this section must:

27 (1) specify the registration [~~licensing~~] requirements

1 for a chiropractic facility;

2 (2) prescribe the standards for the chiropractic
3 ~~[structure of the]~~ facility registration ~~[licensing]~~ program;
4 ~~[and]~~

5 (3) provide for the issuance of a separate certificate
6 of registration ~~[one facility license]~~ to an owner of a
7 chiropractic facility for each chiropractic facility owned by the
8 owner; and

9 (4) provide for the board to send notice to an owner of
10 a chiropractic facility and to each chiropractor practicing in the
11 facility of the impending expiration of the facility's certificate
12 of registration before the expiration of the certificate.

13 (c) The standards adopted under Subsection (b)(2) must be
14 consistent with industry standards for the practice of
15 chiropractic.

16 (d) To register a chiropractic facility, the owner of the
17 facility must:

18 (1) file with the board a written application for
19 registration; and

20 (2) pay, with the application, a registration fee in
21 an amount set by the board not to exceed \$75.

22 (e) The board may issue a certificate of registration only
23 to a chiropractic facility that complies with the requirements of
24 this section.

25 (f) A certificate of registration under this section must be
26 renewed annually. To renew the certificate, the certificate holder
27 shall apply to the board and pay an annual fee equal to the amount of

1 the registration fee under Subsection (d)(2).

2 (g) A person licensed to practice chiropractic in this state
3 is subject to disciplinary action under this chapter if the person
4 practices chiropractic in a chiropractic facility that the person
5 knows is not registered under this section.

6 (h) An owner of a chiropractic facility who violates this
7 section or a rule adopted under this section is subject to
8 disciplinary action by the board in the same manner as a license
9 holder who violates this chapter or a rule adopted under this
10 chapter.

11 SECTION 3. Section 201.355, Occupations Code, is amended by
12 amending Subsection (a) and adding Subsection (c) to read as
13 follows:

14 (a) The board may renew without reexamination an expired
15 license of a person who was licensed in this state, moved to another
16 state or foreign country, and is currently licensed in good
17 standing and has been in practice in the other state or foreign
18 country for the two years preceding application.

19 (c) For purposes of this section, a person is currently
20 licensed if the person is licensed by another chiropractic
21 licensing board recognized by the board. The board shall adopt
22 requirements for recognizing another chiropractic licensing board
23 that:

24 (1) has licensing requirements substantially
25 equivalent to the requirements of this chapter; and

26 (2) maintains professional standards considered by
27 the board to be equivalent to the standards under this chapter.

SECTION 4. Subchapter E, Chapter 351, Occupations Code, is amended by adding Section 351.2045 to read as follows:

Sec. 351.2045. CONFIDENTIALITY OF INVESTIGATION FILES.

(a) The board's investigation files are confidential, privileged, and not subject to discovery, subpoena, or any other means of legal compulsion for release other than to the board or an employee or agent of the board.

(b) The board shall share information in investigation files, on request, with another state or federal regulatory agency or with a local, state, or federal law enforcement agency regardless of whether the investigation has been completed. The board is not required to disclose under this subsection information that is an attorney-client communication, an attorney work product, or other information protected by a privilege recognized by the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

(c) On the completion of the investigation and before a hearing under Section 351.503, the board shall provide to the license holder, subject to any other privilege or restriction set forth by rule, statute, or legal precedent, access to all information in the board's possession that the board intends to offer into evidence in presenting its case in chief at the contested case hearing on the complaint. The board is not required to provide:

- (1) a board investigative report or memorandum;
- (2) the identity of a nontestifying complainant; or
- (3) attorney-client communications, attorney work product, or other materials covered by a privilege recognized by

1 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

2 (d) Notwithstanding Subsection (a), the board may:

3 (1) disclose a complaint to the affected license
4 holder; and

5 (2) provide to a complainant the license holder's
6 response to the complaint, if providing the response is considered
7 by the board to be necessary to investigate the complaint.

8 (e) This section does not prohibit the board or another
9 party in a disciplinary action from offering into evidence in a
10 contested case under Chapter 2001, Government Code, a record,
11 document, or other information obtained or created during an
12 investigation.

13 SECTION 5. Subsection (b), Section 201.303, Occupations
14 Code, is repealed.

15 SECTION 6. Not later than January 1, 2004, the Texas Board
16 of Chiropractic Examiners shall adopt rules under Section 201.503,
17 Occupations Code, specifying the maximum amount of sanctions that
18 may be assessed against a chiropractor for violating Subsection
19 (g), Section 201.312, Occupations Code, as added by this Act.

20 SECTION 7. (a) This Act takes effect September 1, 2003.

21 (b) Section 201.206, Occupations Code, as added by this Act,
22 applies to a complaint or investigation pending on the effective
23 date of this Act or filed on or after that date.

24 (c) The change in law made by this Act by the amendment of
25 Subsection (a), Section 201.355, Occupations Code, applies only to
26 an application to renew a license filed on or after the effective
27 date of this Act. An application to renew a license filed before

S.B. No. 211

1 the effective date of this Act is governed by the law in effect on
2 the date the application was filed, and the former law is continued
3 in effect for that purpose.

4 (d) Section 351.2045, Occupations Code, as added by this
5 Act, applies to a complaint or investigation pending on the
6 effective date of this Act or filed on or after that date.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 211 passed the Senate on March 17, 2003, by the following vote: Yeas 24, Nays 7; and that the Senate concurred in House amendments on May 29, 2003, by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 211 passed the House, with amendments, on May 25, 2003, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 26, 2003

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), As Passed 2nd House

No significant fiscal implication to the State is anticipated.

Based on the analysis of the Board of Chiropractic Examiners, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 25, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 26, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 24, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB211 by Carona (Relating to the licensing and regulation of chiropractors.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board Of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

President of the Senate_____
Speaker of the House

I hereby certify that S.B. No. 211 passed the Senate on March 17, 2003, by ~~a viva-voce vote~~⁹ by the following vote: Yeas 24, Nays 7; and that the Senate concurred in House amendment⁵ on May 29, 2003, by a viva-voce vote. ~~by the following vote: Yeas _____, Nays _____~~

Secretary of the Senate

I hereby certify that S.B. No. 211 passed the House, with amendment⁶, on May 25, 2003, by a non-record vote. ~~by the following vote: Yeas _____, Nays _____, one present not voting~~

Chief Clerk of the House

Approved:

Date_____
Governor

S.B. No. 211

By Carmen

A BILL TO BE ENTITLED

AN ACT:

relating to the licensing and regulation of chiropractors.

1-15-03 Filed with the Secretary of the Senate
FEB 3 - 2003 Read and referred to Committee on HEALTH & HUMAN SERVICES
Reported favorably _____
MAR 3 2003 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
Ordered not printed
Laid before the Senate
MAR 12 2003 Senate and Constitutional Rules to permit consideration suspended by: { ~~unanimous consent~~
28 yeas, 2 nays
MAR 12 2003 Read second time, _____, and ordered engrossed by: { ~~unanimous consent~~
a viva voce vote
____ yeas, ____ nays
MAR 17 2003 Senate and Constitutional 3 Day Rule suspended by a vote of ____ yeas, ____ nays.
MAR 17 2003 *Reg. Order of Business Rule suspended by unanimous consent.*
Read third time, _____, and passed by: { ~~A viva voce vote~~
24 yeas, 7 nays

Latey Spaw
SECRETARY OF THE SENATE

OTHER ACTION:

March 17, 2003 Engrossed
March 18, 2003 Sent to House

Engrossing Clerk Mardi Blanchard

MAR 18 2003 Received from the Senate
MAR 24 2003 Read first time and referred to Committee on Public Health
MAY 14 2003 Reported ____ favorably (~~amended~~) (~~as amended~~)
MAY 19 2003 Sent to Committee on (Calendars) (~~amended~~)
MAY 24 2003 Read second time (~~amended~~) (amended); passed to third reading (~~failed~~) by a (non-record vote) (~~record vote of~~ ____ yeas, ____ nays, ____ present, not voting)
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of ____ yeas, ____ nays, ____ present, not voting.
MAY 25 2003 Read third time (~~amended~~); finally passed (~~failed to pass~~) by a (non-record vote) (~~record vote of~~ ____ yeas, ____ nays, ____ present, not voting)
MAY 26 2003 Returned to Senate.
Returned from House without amendment.
MAY 26 2003 Returned from House with ____ amendments.
MAY 29 2003 Concurred in House amendments by a viva voce vote ____ yeas, ____ nays.

Robert Haney
CHIEF CLERK OF THE HOUSE

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays